

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(e))**

Docket No.  
0205/US

In Re Application Of: Stephen D. Fantone, et al.



Serial No.	Filing Date	Examiner	Group Art Unit
09/677,679	10/2/2000	Zandra V. Smith	2877

Title:

**AUTOMATED OPTICAL MEASUREMENT APPARATUS AND METHOD**

Address to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

**37 CFR 1.97(b)**

1.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2.  The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

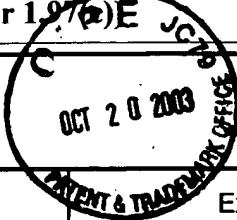
the fee set forth in 37 CFR 1.17(p).

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(p))

Docket No.  
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In Re Application: Stephen D. Fantone, et al.



Serial No.  
09/677,679

Filing Date  
10/2/2000

Examiner  
Zandra V. Smith

Group Art Unit  
2877

**AUTOMATED OPTICAL MEASUREMENT APPARATUS AND METHOD**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of \_\_\_\_\_ is attached.
- The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 03-1150 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of \_\_\_\_\_
- Credit any overpayment.
- Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_) on \_\_\_\_\_

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on 10/16/2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Francis J. Caufield

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

Signature

Dated: October 16, 2003

Francis J. Caufield  
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cc:

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**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
0205/US

In Re Application Of: **Stephen D. Fantone, et al.**

Serial No.  
**09/677,679**

Filing Date  
**10/2/2000**

Examiner  
**Zandra V. Smith**

Group Art Unit  
**2877**

Invention:

**AUTOMATED OPTICAL MEASUREMENT APPARATUS AND METHOD**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

**Statement Under 37 CFR 1.97(e)(1)**

- Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement Under 37 CFR 1.97(e)(2)**

- No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

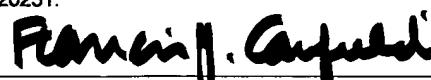
Francis J. Caufield  
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Dated: **October 16, 2003**

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20231.



Signature of Person Mailing Correspondence

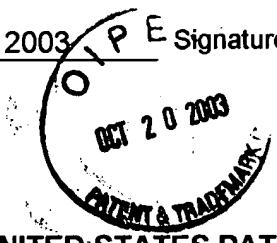
**Francis J. Caufield**

Typed or Printed Name of Person Mailing Correspondence

CC:

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: October 16, 2003  Signature:

  
Francis J. Caufield  
Registration No. 27,425

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	09/677,679	Art Unit:	2877
Filed:	October 2, 2000	Examiner:	Zandra V. Smith
Inventor(s):	Stephen D. Fantone Stephen R. Wilk		
For:	AUTOMATED OPTICAL MEASUREMENT APPARATUS AND METHOD		

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING  
OF FIRST OFFICE ACTION UNDER 37 CFR §1.97(c)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

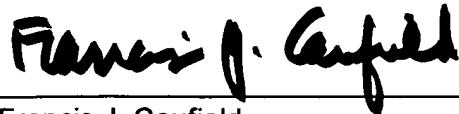
It is respectfully requested that the publications listed on the attached form PTO-1449 be made of record in this application because they may be relevant to the question of patentability of the claims during their examination.

Applicant requests that these publications be considered by the Examiner before issuance of the next office action. The Examiner is also asked to initial and return copies of the enclosed PTO-1449 form(s) to evidence such consideration.

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In accordance with 37 CFR § 1.98(d)(1), copies of the cited references are not being supplied with this information disclosure statement because they are already of record in U.S. Patent Application No. 09/328,972 from which priority was claimed pursuant to 35 USC 120.

Respectfully submitted,



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October 16, 2003

Date

FJC:pc  
Enclosures

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)			Docket Number (Optional) <b>0205/US</b>	Application Number <b>09/677,679</b>			
			Applicant(s) <b>Stephen D. Fantone, et al.</b>				
			Filing Date <b>October 2, 2000</b>	Group Art Unit <b>2877</b>			
<b>U.S. PATENT DOCUMENTS</b>							
<b>*EXAMINER INITIAL</b>	<b>REF</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
		<b>US-3,982,835</b>	<b>09-1976</b>	<b>Schwomma, Otto</b>			
		<b>US-4,743,117</b>	<b>05-1988</b>	<b>Kitabayashi et al.</b>			
		<b>US-5,004,346</b>	<b>04-1991</b>	<b>Kuchel</b>			
		<b>US-5,416,586</b>	<b>05-1995</b>	<b>Tronolone et al.</b>			
		<b>US-5,625,454</b>	<b>04-1997</b>	<b>Huang et al.</b>			
<b>FOREIGN PATENT DOCUMENTS</b>							
<b>REF</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>Translation</b>	
						<b>YES</b>	<b>NO</b>
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>						<span style="font-size: 2em;">RECEIVED</span> <span style="font-size: 1.5em; vertical-align: middle;">TECHNOLOGY CENTER 2800</span> <span style="font-size: 1.2em; vertical-align: middle;">OCT 24 2003</span>	
EXAMINER			DATE CONSIDERED				

EXAMINER

## **DATE CONSIDERED**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.